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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/596,195	06/17/2000	JASON R. WILCOX	1018.084US1	1771

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EXAMINER

DURAN, ARTHUR D

ART UNIT PAPER NUMBER

3622

DATE MAILED: 05/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/596,195

Applicant(s)

WILCOX ET AL.

Examiner

Arthur Duran

Art Unit

3622

--Th MAILING DATE of this communication appears on the cover sheet with the corresponding address --

THE REPLY FILED FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

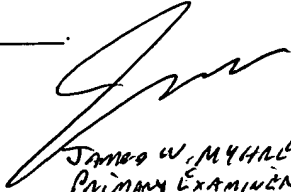
Claim(s) allowed: _____

Claim(s) objected to: _____

Claim(s) rejected: 1-17.

Claim(s) withdrawn from consideration: _____

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
10. ☒ Other: See Continuation Sheet


James W. Myhall
Primary Examiner
Art Unit 3622

Continuation of 10. Other: Brown discloses that different and simultaneous queues are created for different types or categories, that these queues are formed based on rules and priorities, and also that these queues can be combined to form one main queue (col 17, lines 30-55; col 5, lines 40-49; col 3, line 62-col 4, line 15). Brown discloses that play lists can be constructed according to predetermined rules and definitions (col 2, lines 1-5; col 2, lines 15-28). Brown further discloses that sets of priority queues are generated (col 5, lines 56-60). The Merriam-Webster Online Dictionary (www.m-w.com) states that a set is, " 2 : a number of things of the same kind that belong or are used together." Hence, it is inherent to a set that a set has a limited number of items.

Brown further discloses that a specific number of segments is predetermined and then returned in response to the reception of a playlist (col 17, lines 24-29).

Brown further discloses that the analyst creates and controls all aspects of what and how target objects will be targeted (col 13, lines 19-26) and that a variety of content segments are available to select to fill these target objects (col 13, lines 19-26).

Brown further discloses that there are folders for the different types of target entities and also folders of the available items to fill those target entities (col 13, line 65-col 14, line 12). Brown further discloses that content items can be selected to fill empty content slots (col 14, lines 9-12).

Brown further discloses that target object slots are filled and that content segment fields are filled, and that target object slots are matched with content segments (col 14, lines 13-15). Brown further states, 'When the target object and content segment fields are filled,'(col 14, lines 13-15, therefore, it is inherent to Brown's disclosure that there is a limit on the target object slots and content segment fields that need to be filled. It is, therefore, inherent to Brown's disclosure that items are added to unfilled slots, that there are a predetermined number of slots, that these slots are originally empty, and that these slots need to be filled.

Brown further discloses that available records can be added to folders based on the type of information that that folder holds (col 9, lines 34-46; col 10, lines 31-40)..